

**Atty Docket No.: 1235(203284) (Serial No.: 09/963,875)**

**Inventors: Habener, et al.**

**Filed: September 26, 2001**

**Amendment Response to Office Action**

The following Listing of the claims will replace all prior versions and all prior listings of the claims in the present application.

Claims 1-38, 42, 44-73, 75, 76, 80-84 and 108 are cancelled. Claims 39-41, 43, 74 and 85-104 are amended. New claims 109-111 are added.

1. (Canceled)

2. (Canceled)

3. (Canceled)

4. (Canceled)

5. (Canceled)

6. (Canceled)

7. (Canceled)

8. (Canceled)

9. (Canceled)

10. (Canceled)

11. (Canceled)

12. (Canceled)

13. (Canceled)

14. (Canceled)

15. (Canceled)

16. (Canceled)

17. (Canceled)

18. (Canceled)

19. (Canceled)

20. (Canceled)

21. (Canceled)

22. (Canceled)

23. (Canceled)

24. (Canceled)

25. (Canceled)

26. (Canceled)

27. (Canceled)

28. (Canceled)

29. (Canceled)

30. (Canceled)

31. (Canceled)

32. (Canceled)

33. (Canceled)

34. (Canceled)

35. (Canceled)

36. (Canceled)

37. (Canceled)

38. (Canceled)

39. (Currently Amended) An isolated [[composition comprising at least 30%,]] nestin-positive human pancreatic or liver stem cell[[s]] that is [[are]] not a neural stem cell[[s]], wherein said stem cell is at least 30% pure.

40. (Currently Amended) The isolated [[composition]] stem cell of any one of claims 39 and 85 through 94, wherein said nestin-positive human pancreatic or liver stem cell[[s are]] is also GLP-1R-positive.

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41. (Currently Amended) An isolated [[composition comprising at least 30%]] GLP-1R-positive human pancreatic or liver stem cell[[s]] that [[are]] is not a neural stem cell[[s]], wherein said stem cell is at least 30% pure.

42. (Canceled)

43. (Currently Amended) The isolated [[composition]] stem cell of any one of claims [[39 and 85 through 94]] 109, 110 and 111, wherein said stem cell[[s]] differentiates to form at least one of: insulin-producing beta cells, glucagon-producing alpha cells; pseudo-islet like aggregates; and hepatocytes.

44. (Canceled)

45. (Canceled)

46. (Canceled)

47. (Canceled)

48. (Canceled)

49. (Canceled)

50. (Canceled)

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67. (Canceled)

68. (Canceled)

69. (Canceled)

70. (Canceled)

71. (Canceled)

72. (Canceled)

73. (Canceled)

74. (Currently Amended) A pharmaceutical composition comprising the isolated [[composition]] stem cell of claim [[39]] 109, 110 or 111 admixed with a physiologically compatible carrier.

75. (Canceled)

76. (Canceled)

77. (Previously Presented) An isolated nestin-positive, GLP-1R-positive or nestin and GLP-1R-positive human pancreatic stem cell isolated by:

a) removing a pancreatic islet from a donor;

b) removing cells from said pancreatic islet wherein said islet comprises a plurality of cell types comprising stem cells; and

c) separating said stem cells from said plurality of cells.

78. (Previously Presented) The isolated stem cell of claim 77 that differentiates to form at least one of: insulin-producing beta cells, glucagon-producing alpha cells; pseudo-islet like aggregates; and hepatocytes.

79. (Previously Presented) A pharmaceutical composition comprising the isolated stem cell of claim 77 admixed with a physiologically compatible carrier.

80. (Canceled)

81. (Canceled)

82. (Canceled)

83. (Canceled)

84. (Canceled)

85. (Currently Amended) An isolated [[composition comprising at least 40%,]] nestin-positive human pancreatic or liver stem cell[[s]] that [[are]] is not a neural stem cell[[s]], wherein said stem cell is at least 40% pure.

86. (Currently Amended) An isolated [[composition comprising at least 50%,]] nestin-positive human pancreatic or liver stem cell[[s]] that [[are]] is not a neural stem cell[[s]], wherein said stem cell is at least 50% pure.

87. (Currently Amended) An isolated [[composition comprising at least 60%,]] nestin-positive human pancreatic or liver stem cell[[s]] that [[are]] is not a neural stem cell[[s]], wherein said stem cell is at least 60% pure.

88. (Currently Amended) An isolated [[composition comprising at least 70%,]] nestin-positive human pancreatic or liver stem cell[[s]] that [[are]] is not a neural stem cell[[s]], wherein said stem cell is at least 70% pure.

89. (Currently Amended) An isolated [[composition comprising at least 80%,]] nestin-positive human pancreatic or liver stem cell[[s]] that [[are]] is not a neural stem cell[[s]], wherein said stem cell is at least 80% pure.

90. (Currently Amended) An isolated [[composition comprising at least 85%,]] nestin-positive human pancreatic or liver stem cell[[s]] that [[are]] is not a neural stem cell[[s]], wherein

said stem cell is at least 85% pure.

91. (Currently Amended) An isolated [[composition comprising at least 90%,]] nestin-positive human pancreatic or liver stem cell[[s]] that [[are]] is not a neural stem cell[[s]], wherein said stem cell is at least 90% pure.

92. (Currently Amended) An isolated [[composition comprising at least 95%,]] nestin-positive human pancreatic or liver stem cell[[s]] that [[are]] is not a neural stem cell[[s]], wherein said stem cell is at least 95% pure.

93. (Currently Amended) An isolated [[composition comprising at least 98%,]] nestin-positive human pancreatic or liver stem cell[[s]] that [[are]] is not a neural stem cell[[s]], wherein said stem cell is at least 98% pure.

94. (Currently Amended) An isolated [[composition comprising at least 99%,]] nestin-positive human pancreatic or liver stem cell[[s]] that [[are]] is not a neural stem cell[[s]], wherein said stem cell is at least 99% pure.

95. (Currently Amended) An isolated [[composition comprising at least 40%,]] GLP-1R-positive human pancreatic or liver stem cell[[s]] that [[are]] is not a neural stem cell[[s]], wherein said stem cell is at least 40% pure.

96. (Currently Amended) An isolated [[composition comprising at least 50%,]] GLP-1R-positive human pancreatic or liver stem cell[[s]] that [[are]] is not a neural stem cell[[s]], wherein said stem cell is at least 50% pure.

97. (Currently Amended) An isolated [[composition comprising at least 60%,]] GLP-1R-positive human pancreatic or liver stem cell[[s]] that [[are]] is not a neural stem cell[[s]], wherein said stem cell is at least 60% pure.

98. (Currently Amended) An isolated [[composition comprising at least 70%,]] GLP-1R-positive human pancreatic or liver stem cell[[s]] that [[are]] is not a neural stem cell[[s]], wherein said stem cell is at least 70% pure.

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99. (Currently Amended) An isolated [[composition comprising at least 80%,]] GLP-1R-positive human pancreatic or liver stem cell[[s]] that [[are]] is not a neural stem cell[[s]], wherein said stem cell is at least 80% pure.

100. (Currently Amended) An isolated [[composition comprising at least 85%,]] GLP-1R-positive human pancreatic or liver stem cell[[s]] that [[are]] is not a neural stem cell[[s]], wherein said stem cell is at least 85% pure.

101. (Currently Amended) An isolated [[composition comprising at least 90%,]] GLP-1R-positive human pancreatic or liver stem cell[[s]] that [[are]] is not a neural stem cell[[s]], wherein said stem cell is at least 90% pure.

102. (Currently Amended) An isolated [[composition comprising at least 95%,]] GLP-1R-positive human pancreatic or liver stem cell[[s]] that [[are]] is not a neural stem cell[[s]], wherein said stem cell is at least 95% pure.

103. (Currently Amended) An isolated [[composition comprising at least 98%,]] GLP-1R-positive human pancreatic or liver stem cell[[s]] that [[are]] is not a neural stem cell[[s]], wherein said stem cell is at least 98% pure.

104. (Currently Amended) An isolated [[composition comprising at least 99%,]] GLP-1R-positive human pancreatic or liver stem cell[[s]] that [[are]] is not a neural stem cell[[s]], wherein said stem cell is at least 99% pure.

105. (Previously Presented) An isolated, nestin-positive, GLP-1R positive or nestin and GLP-1R-positive human pancreatic or liver stem cell that is not a neural stem cell, wherein said cell is isolated from a pancreatic islet.

106. (Previously Presented) The isolated stem cell of claim 105 that differentiates to form at least one of: insulin-producing beta cells, glucagon-producing alpha cells; pseudo-islet like aggregates; and hepatocytes.

107. (Previously Presented) A pharmaceutical composition comprising the stem cell of claim 105, admixed with a physiologically compatible carrier.

108. (Canceled)

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109. (New) An isolated nestin-positive human pancreatic or liver stem cell that is not a neural stem cell.

110. (New) The isolated stem cell of claim 109, wherein said nestin-positive human pancreatic or liver stem cell is also GLP-1R-positive.

111. (New) An isolated GLP-1R-positive human pancreatic or liver stem cell that is not a neural stem cell.